IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 19836 of 2004

Between:

D.Narsaiah S/o.Venkanna
R/o.Ponkal, Adilabad District.

..... PETITIONER

AND

1. A.P.State Road Transport Corporation

   Represented by its Managing Director
   Musheerabad, Hyderabad-20.
2. The Regional Manager A.P.S.R.T.C.,

   Ranga Reddy Region
   MGBS, Hyderabad.
3. The Depot Manager A.P.S.R.T.C., Tandur Depot,
   Tandur, Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records from the respondents and issue an appropriate writ, order or direction, particularly one in the nature of writ of Mandamus, declaring that the action of respondents in not considering the case of the petitioner for promotion to the posts of Assistants Depot Clerk, Depot Clerk/ Traffic Inspector -III and Traffic Inspector Grade-II and also not considering the entitlement of pay fixation as illegal, unjust, contrary to law, arbitrary, discriminatory and violative of Articles 14,16 and 21 of the Constitution of India, and grant all consequential monetary benefits including arrears of pay in the promotion category, and pass.

Counsel for the Petitioner: MR.A.K.JAYAPRAKASH RAO

Counsel for the Respondents: MR.V.T.M.PRASAD

The Court at the admission stage, made the following :

THE HON'BLE MR JUSTICE K.C.BHANU

WRIT PETITION NO: 19836 of 2004

ORDER:

The present writ petition has been filed to declare the action of the respondents in not considering the case of the petitioner for promotion to the post of Assistant Depot Clerk, Depot Clerk/Traffic Inspector-III and Traffic Inspector Grade-II and also not considering the entitlement of pay fixation, as illegal and arbitrary.

2. The learned counsel for the petitioner contended that the petitioner is eligible for promotion to the post of Assistant Depot Clerk and therefore, necessary directions may be given to the respondent-Corporation.

3. The learned Standing Counsel appearing for the respondent-Corporation opposed the same on the ground that the Corporation has to give promotions basing on the seniority and in accordance with the rules and regulations of the Corporation.

4 . As rightly contended by the learned Standing Counsel for the respondent-Corporation that the respondents have to take appropriate decision about the issue relates to the question as to whether the petitioner is otherwise eligible for promotion to the post of Assistant Depot Clerk, Traffic Inspector Grade-III and Traffaic Inspector Grade-II and entitlement of the petitioner for consequential benefits of pay fixation.

5. Therefore, without going into the merits of the case, a direction is given to the respondent-Corporation to consider the case of the petitioner in accordance with the rules and regulations of the Corporation for giving promotion within a period of two months from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is, with the above observation, disposed of. There shall be no order as to costs.

_____ December 23, 2004

Kvr

TO

1. A.P.State Road Transport Corporation

   Represented by its Managing Director
   Musheerabad, Hyderabad-20.

2 The Regional Manager A.P.S.R.T.C.,

   Ranga Reddy Region
   MGBS, Hyderabad.

3 The Depot Manager A.P.S.R.T.C., Tandur Depot,
   Tandur, Ranga Reddy District.

4 Two C.D. Copies.